

SENATE FILE NO. SF0009

State engineer permit application.

Sponsored by: Joint Agriculture, State and Public Lands
and Water Resources Interim Committee

A BILL

for

1 AN ACT relating to the state engineer; allowing electronic
2 permitting; granting rulemaking authority; ratifying
3 existing rules; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 41-4-501 is amended to read:

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9 **41-4-501. Permit required prior to construction of**
10 **ditches, canals or other distributing works; contents of**
11 **application; unlawful diversion or use of water prohibited;**
12 **rulemaking authority.**

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14 Any person, association or corporation hereafter intending
15 to acquire the right to the beneficial use of the public
16 water of the state of Wyoming shall, before commencing the

1 construction, enlargement or extension of any ditch, canal
2 or other distributing works, or performing any work in
3 connection with said construction, or proposed
4 appropriation, make an application to the state engineer
5 for a permit to make such appropriation. Such application
6 must set forth the name and post-office address of the
7 applicant, the source of the water supply, the nature of
8 the proposed use, the location and description of the
9 proposed ditch, canal or other work, the time within which
10 it is proposed to begin construction, the time required for
11 completion of construction and the time required for the
12 complete application of the water to the proposed use. Any
13 person who shall willfully divert or use water to the
14 detriment of others without compliance with law shall be
15 deemed guilty of a misdemeanor punishable pursuant to W.S.
16 41-3-616. The state engineer may allow the application to
17 be submitted electronically as provided by the Uniform
18 Electronic Transactions Act, W.S. 40-21-101 through
19 40-21-119. The state engineer may adopt reasonable rules
20 and regulations in accordance with the Wyoming
21 Administrative Procedure Act as necessary to implement this
22 section. Rules and regulations to implement this section
23 adopted prior to July 1, 2009 and filed with the secretary
24 of state as of that date are hereby ratified.

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2 **Section 2.** This act is effective July 1, 2009.

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(END)